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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/467,965      | 12/21/1999  | JEA YONG YOO         | 2950-0149P          | 3040             |

7590 03/12/2007  
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EXAMINER

CHEVALIER, ROBERT

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2621

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE  | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS                               | 03/12/2007 | PAPER         |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/467,965

Applicant(s)

YOO ET AL.

Examiner

Bob Chevalier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/4/05</u> . | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10, 14-17, 21-26, are rejected under 35 U.S.C. 102(e) as being anticipate by Saeki et al (P.N. 6,078,727) as set forth in the previous Office Action mailed 6/20/06.

With regard to claims 21-22, Applicant's attention is directed to see Saeki et al's column 11, lines 21-31, where it is index number being one byte.

With regard to claims 23-26, the feature of the index number being a number assigned to a starting stream object unit of each stream object as specified thereof would be present in the cited reference of Saeki et al. Because, the starting time of the first stream object unit as shown by Saeki et al would be at least a number such as hour, minute, and second. Therefore, Saeki et al does disclose the claimed "index number".

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-13, 18, 20, and 27-29, are rejected under 35 U.S.C. 103(a) as being unpatentable over Saeki et al in view of Moriyama et al (P.No. 6,006,004) as stated in the previous Office Action mailed out on 6/20/06.

With regard to claims 27-29, the feature of the index number being a number assigned to a starting stream object unit of each stream object as specified thereof would be present in the cited reference of Saeki et al. Because, the starting time of the first stream object unit as shown by Saeki et al would be at least a number such as hour, minute, and second. Therefore, Saeki et al does disclose the claimed "index number".

#### ***Response to Arguments***

5. Applicant's arguments filed 12/19/06 have been fully considered but they are not persuasive.

Regarding the Applicant's argument in that the cited reference of Saeki et al fails to disclose the claimed feature of the index number of the first stream object unit of for pointing to the start position of each stream object, Examiner disagrees. Applicant further argues that the Saeki et al's time difference does not point to the start position of the video object.

In response, it is noted that such a feature of the index number of the first stream object unit for pointing to the start position of each stream object argued by Applicant is present in the cited reference of Saeki et al. As indicated in the previous Office Action mailed out on 6/20/06, Applicant's attention is directed to Saeki et al's claim 14, wherein

the cited reference clearly refers to the start time as the beginning of the first video object unit corresponding to the video object. In other words the start time is the beginning of the video object as claimed since it is the beginning of the first video object unit of the video object as disclosed in Saeki et al.

Moreover Applicant argues that the cited reference of Saeki et al fails to disclose the claimed feature of the stream object unit having a predetermined length, and that instead, Saeki et al's discloses a video object unit corresponding to about 0.5 seconds which implies that the Saeki et al's video object would have a variable size. In response, it is to be noted that, as disclosed by Saeki et al and also indicated by Applicant, the video object unit of Saeki et al's reference corresponds to 0.5 seconds. That is, if the video object unit corresponds to 0.5 seconds, one of ordinary skill in the art would readily recognize that is not a variable size, contrary to Applicant's argument. Since, 0.5 seconds correspond to a specific number.

Regarding the Applicant's argument in that the present Office Action should not be made Final because claims 21-22 were never treated on the merits, Examiner disagrees. It is to be noted that in the previous Office Action mailed out on 12/19/06 claims 21-22 were rejected under 102(e) as anticipated by Saeki et al. For clarification, Applicant's attention is directed to Saeki et al's column 11, lines 21-23.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 571-272-7374. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

B. Chevalier  
March 7, 2007.

  
